


I certify this to be a true and correct
copy of the indicated document as
referred or transmitted to committee.

Chief Clerk of the House

FILED FEB 08 2007

By: 

H.B. No. 1283

A BILL TO BE ENTITLED

AN ACT

relating to the territory of the Culberson County Groundwater
Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 1075, Acts of the 75th Legislature,
Regular Session, 1997, is amended by adding Section 3A to read as
follows:

Sec. 3A. In addition to the portions of Culberson County
included in the boundaries of the district on August 31, 2007, the
boundaries of the district include all of the remaining territory
in Culberson County.

SECTION 2. (a) The annexation under Section 3A, Chapter
1075, Acts of the 75th Legislature, Regular Session, 1997, as added
by this Act, of the additional territory in Culberson County that
was not included in the boundaries of the Culberson County
Groundwater Conservation District on August 31, 2007, is subject to
ratification at an election held under Section 36.328, Water Code,
and this section in which only the voters residing in the territory
to be annexed are eligible to vote.

(b) The board of directors of the Culberson County
Groundwater Conservation District shall hold the ratification
election on the first uniform election date that occurs after the
effective date of this Act that allows for compliance with the time
requirements of the Election Code.

1 (c) If a majority of the voters voting at the ratification
2 election vote in favor of the annexation, the Culberson County
3 Groundwater Conservation District boundaries include all of
4 Culberson County.

5 (d) If a majority of the voters voting at the ratification
6 election do not vote in favor of the annexation, the Culberson
7 County Groundwater Conservation District boundaries are unchanged
8 and this Act expires.

9 SECTION 3. This Act takes effect September 1, 2007.

AFFIDAVIT OF PUBLICATION

Before me, a Notary Public, personally appeared Larry D. Simpson, who, after being duly sworn upon oath, deposes and says

I am the Publisher/Editor of the Van Horn Advocate, a non-daily newspaper of Texas, located at Van Horn, Culberson County, Texas. The accompanying printed matter represent a true and correct copy(ies) of Legal Notices, and that such notices were published in the listed Texas newspaper on the dates indicated:

Jan. 4, 2007

I hereby swear and affirm that the above mentioned Texas newspaper has general circulation in the following Texas county(ies):

Culberson

I further swear and affirm that I have personal knowledge of all matters stated herein and that the foregoing statements are true and correct.

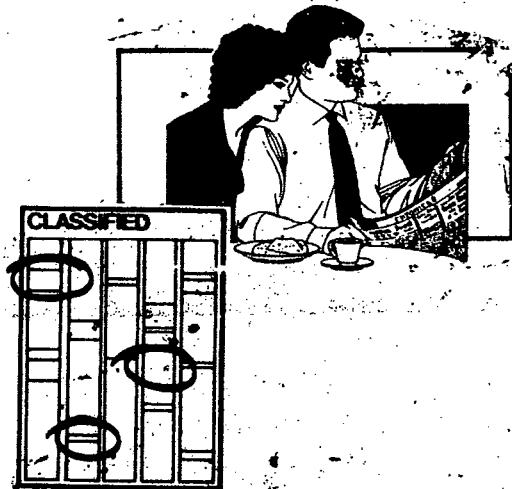
Signed: Larry D. Simpson
Title: Publisher

SWORN TO AND SUBSCRIBED BEFORE ME, this 12
day of April A.D., 2007

Notary Public: Dawn Simpson
County of Culberson
Commission Expires: 5-11-07



TAKE A LOOK!



Notices

NOTICE OF INTENTION TO CONDUCT WEATHER MODIFICATION OPERATIONS IN THE STATE OF TEXAS

Date of the first of three weekly publications of this notice: December 21, 2006 in the Van Horn Advocate, published in Culberson County, Texas.

1. Notice is hereby given that the Trans-Pecos Weather Modification Association, 420 Mackey, Barstow, Texas 79719, has filed an application with the Texas Department of Licensing and Regulation (TDLR) for a State permit to conduct weather modification operations to change, or attempt to change, the natural development of clouds for the purpose, objective, period, and by the method summarized herein below.

2. The Trans-Pecos Weather Modification Association has applied to the TDLR for a valid Texas weather modification license for Fiscal Year 2007, which begins September 1, 2006.

3. The purpose of the proposed weather-modification operation is to enhance rainfall within the target area of the Trans-Pecos Weather Modification Association. The requested period of the permit is four years from the date of issuance of the permit.

4. The area to be affected by the proposed weather modification operation is the target area. The target area is the area contained within the following counties, or parts of counties: Culberson, Loving, Jeff Davis, Hudspeth, Reeves, & Ward.

5. The methods and materials to be used in conducting this operation are summarized herein. A meteorologist licensed by the TDLR to conduct weather modification operation will select suitable clouds for seeding using a weather radar system, as well as standard analytical and weather forecasting procedures, to guide efforts to release cloud condensation

PUBLIC NOTICE

Pursuant to Article 258.002(c) of the Texas Transportation Code, the Commissioners Court of Culberson County, Texas provides this notice to the public of its intention to convene a public meeting to receive comment upon the adoption of a County Road Map including each road in which the County claims the continued existence of a public interest and a right of access and egress for maintenance of an existing County Road. The roads in which the County claims a public interest have been maintained for many years, beginning some time prior to 1981, have previously been listed in a notice included in the 2006-07 Ad Valorem Tax statement. A proposed County Road Map depicting each road in which the County claims a public interest is available for inspection by the public at the office of the County Judge in the County Courthouse, during business hours, commencing December 1, 2006.

The Commissioners Court will conduct a public hearing on 1/9/2007, at 10:00 a.m., in the Commissioners Courtroom in the Culberson County Courthouse. At this time, pursuant to Article 258.002(b), Texas Transportation Code, any person asserting a private right, title interest in a road may appear before the Commissioners Court to object or protest the County's claim to its right to continue maintenance of the public roads depicted on the County Road Map. Any person asserting a private right, title or interest in a road may also file a written protest with the County Judge at any time before the time and date of the scheduled public hearing. By way of this procedure, the County makes no claim affecting title, acreage, or ownership of the land, but seeks merely to establish and document the right of the County to continue maintenance of the existing county road in its present location and dimensions.

PUBLIC NOTICE

This is to give notice of intent to introduce in the 80th Texas Legislature, Regular Session, a bill entitled "An Act relating to the territory of the Culberson County Groundwater Conservation District."

1-4-1tc

BID PROPOSAL

Culberson County-Allamore ISD, P.O. Box 899, 801 North Fannin, Van Horn, Texas 79855, is seeking SEALED proposals due by 4:00 p.m., CST, January 11, 2007, for Baseball Field Concession Stand and Restrooms. The entire plan and specifications is available on the Grimes Engineering website, www.grimesengineering.com under Current Jobs, Van Horn Concession & Restrooms, posted 12-29-2006. The CC-AISD proposal instructions are for only the Concession Stand and Restrooms with alternate quotes needed for concrete block/splitface, metal studs with metal exterior, or prefabricated building. Information available by contacting Paul Uranga, 432-284-0637, puranga@ccaaisd.net, Athletic Director. Enlarged sketch showing absence of partition between concession and storage and addition of sliding window and 12-29-2006 plans and specs are also available on CC-AISD website www.ccaaisd.net. SEALED bids for the Concession Stand and Restrooms shall be addressed to Anne Pemberton, Superintendent, Culberson County-Allamore ISD, Post Office Box 899, 801 North Fannin, Van Horn, Texas 79855 at 432-283-2245. apemberton@ccaaisd.net. FAX 432-283-9062. No fax bids will be accepted. CC-AISD reserves the right to refuse any and all bids. 1-4-2b

NOTICE TO CONTRACTORS OF PROPOSED TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT)

8

Advocate CLASSIFIEDS *are for everyone!*

Classified Rates: \$4.00 minimum (20) words. 20 cents per word thereafter. **Legals and Notices Rates:** .60 cents per line. Deadline for **ALL** classified advertising is 10 a.m. on Wednesday of week to be published. All classifieds and legals are cash in advance unless prior credit arrangements have been made.

Attend The Church of your choice



Mountain View R.V. Park

Day/Week/Monthly Rates

100 Pull Thru Spaces

30 & 50 Amp Service

High Speed Internet & Satellite T.V.

☞ Horse Stalls ☞

P.O. Box 1150

Van Horn, TX 79855

5-25-10tp

810 S.E. Frontage Rd.

Exit 140B off I-10

432-283-0005

Perchos/La Paz

FUNERAL
HOMES

Help Wanted

Desk Clerk Wanted. Please apply in person at Motel 6. 12-21-2tc

Wanted: Part time secretarial/office worker in attorney's office (Full time in summer, Christmas & Spring Break). Office and word processing skills required. Please call Gayla Mitchell @ 283-2714. 12-21-tfc

The Texas Department of Public Safety is currently accepting applications for a part time Driver License Examiner in Van Horn. Applications will be accepted from 1/4/07 through 1/12/07. For more details...

TAKE A LOOK!

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Pursuant to Texas Transportationers Court provides this notice to receive communication County Road which the Co existence of of access and an existing C which the Co have been ma

HOUSE COMMITTEE REPORT

07 APR 20 PM 7:08

HOUSE OF REPRESENTATIVES

1st Printing

By: Gallego

H.B. No. 1283

A BILL TO BE ENTITLED

AN ACT

relating to the territory of the Culberson County Groundwater
Conservation District.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 1075, Acts of the 75th Legislature,
Regular Session, 1997, is amended by adding Section 3A to read as
follows:

Sec. 3A. In addition to the portions of Culberson County
included in the boundaries of the district on August 31, 2007, the
boundaries of the district include all of the remaining territory
in Culberson County.

SECTION 2. (a) The annexation under Section 3A, Chapter
1075, Acts of the 75th Legislature, Regular Session, 1997, as added
by this Act, of the additional territory in Culberson County that
was not included in the boundaries of the Culberson County
Groundwater Conservation District on August 31, 2007, is subject to
ratification at an election held under Section 36.328, Water Code,
and this section in which only the voters residing in the territory
to be annexed are eligible to vote.

(b) The board of directors of the Culberson County
Groundwater Conservation District shall hold the ratification
election on the first uniform election date that occurs after the
effective date of this Act that allows for compliance with the time
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1 (c) If a majority of the voters voting at the ratification
2 election vote in favor of the annexation, the Culberson County
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5 (d) If a majority of the voters voting at the ratification
6 election do not vote in favor of the annexation, the Culberson
7 County Groundwater Conservation District boundaries are unchanged
8 and this Act expires.

9 SECTION 3. This Act takes effect September 1, 2007.

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

4/4/07
(date)

Sir:

We, your COMMITTEE ON NATURAL RESOURCES

to whom was referred HB 1283 have had the same under consideration and beg to report back with the recommendation that it

- ☒ do pass, without amendment.
☐ do pass, with amendment(s).
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

- ☒ yes ☐ no A fiscal note was requested.
☐ yes ☒ no A criminal justice policy impact statement was requested.
☐ yes ☒ no An equalized educational funding impact statement was requested.
☐ yes ☒ no An actuarial analysis was requested.
☐ yes ☒ no A water development policy impact statement was requested.
☐ yes ☒ no A tax equity note was requested.

☒ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

Joint Sponsors: _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Puente, Chair	X			
Hamilton, Vice-chair	X			
Gattis, CBO	X			
Creighton	X			
Gallego	X			
Guillen	X			
Hilderbran	X			
Laubenberg	X			
O'Day	X			

Total

9 aye
0 nay
0 present, not voting
0 absent

Not Here
CHAIR

BILL ANALYSIS

H.B. 1283
By: Gallego
Natural Resources
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Culberson County Groundwater Conservation District believes legislation is necessary to cover the aquifers that are unique to Culberson County. They include The Capitan Reef, Rustler, a portion of the Edwards Trinity in the Southwestern portion of the county, and a large amount of the West Texas Bolsons. In keeping the boundaries as they now exist, a large portion of the Capitan Reef, the entire Rustler and the portion of the Edwards Trinity are not included. The district believes this is a potential problem in groundwater management. This hinders any current efforts to protect historic users and keep a sustainable approach to maintain the aquifers. Any property that is not the district is subject to rule of capture. H.B. 1283 extends the boundaries of the district to include all of the remaining territory in Culberson County.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Chapter 1075, Acts of the 75th Legislature, Regular Session, 1997, is amended by adding Section 3A which holds that in addition to the portions of Culberson County included in the boundaries of the district on August 31, 2007, the boundaries of the district include all remaining territory in Culberson County.

SECTION 2. (a) This section holds that the new territory added to the district by this Act is subject to ratification at an election held under Section 36.328, Water Code, and this section.

(b) The board of directors of the Culberson County Groundwater Conservation District shall hold the ratification election on the first uniform election date that occurs after the effective date of this Act that allows for compliance with the time requirements of the Election Code.

(c) If the majority of the vote is in favor of the annexation, the Culberson County Groundwater Conservation District boundaries will include all of Culberson County territories.

(d) If the majority of the vote is not in favor of the annexation, the Culberson County Groundwater Conservation District boundaries will remain unchanged and this Act expires.

EFFECTIVE DATE

September 1, 2007

SUMMARY OF COMMITTEE ACTION

HB 1283

February 28, 2007 2:00 PM or upon final adjourn./recess

Considered in public hearing

Testimony taken in committee (See attached witness list.)

Left pending in committee

March 21, 2007 2:00 PM or upon final adjourn./recess

Considered in public hearing

Testimony taken in committee (See attached witness list.)

Left pending in committee

April 04, 2007 2:00 PM or upon final adjourn./recess

Considered in public hearing

Recommended to be sent to Local & Consent

Reported favorably without amendment(s)

2
1

WITNESS LIST

HB 1283
HOUSE COMMITTEE REPORT
Natural Resources Committee

February 28, 2007 - 2:00 PM or upon final adjourn./recess

Against: Cowden, Jax (Self and 9K Ranch LLC)
Cowden, Thomas B. (Self and 9K Ranch LLC (North Culberson County))
Kenney, Jim (Self and D Ranch (In Culberson Co. Texas))

Registering, but not testifying:

Against: Cowden, Jax Bonner (Self)
Cowden, Jennifer (Self)
Cowden, Kay (Self)
Mickey, Moore (Self and Weatherby Family Partnership LLC)

March 21, 2007 - 2:00 PM or upon final adjourn./recess

For: Brookshier, Kyle C. (Culberson County Groundwater Cons. District)
Easley, Edwin (Culberson Co Underground Conservation district)
Jones, John T. (Self and Culberson County Groundwater District)

Registering, but not testifying:

For: Cottrell, Vance (Culberson County Ground Water)
Molinar, Manuel (Culberson County Under Ground Water District)

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 26, 2007

TO: Honorable Robert Puente, Chair, House Committee on Natural Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1283 by Gallego (Relating to the territory of the Culberson County Groundwater Conservation District.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, WK, DB

LETTER OF TRANSMITTAL
HOUSE OF REPRESENTATIVES
STATE OF TEXAS

HB 1283

Bill Number

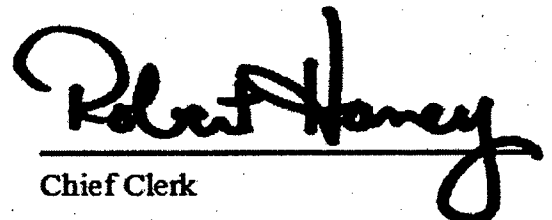
TO: The Honorable Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

02/13/2007

Date transmitted to
Governor's Office


Chief Clerk
House of Representatives

TO: Texas Commission on Environmental Quality

SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to a conservation and reclamation district and a copy of the notice of intention to introduce the bill.

MAR 07 2007

Date transmitted to
Texas Commission on Environmental Quality


Governor

TO: The Honorable Speaker of the House
The Honorable President of the Senate
The Honorable Governor of Texas

SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are the recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.


Texas Commission on Environmental Quality



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

The Honorable Tom Craddick
Texas House of Representatives
Capitol Station
PO Box 2910
Austin, Texas 78768-2910

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

HB 1283, as Filed by Representative Pete Gallego - Relating to the Territory of Culberson County Groundwater Conservation District

Dear Speaker Craddick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

HB 1283 by Representative Pete Gallego amends Chapter 1075, Acts of the 75th Legislature, Regular Session, 1997, the enabling Act for the Culberson County Groundwater Conservation District (District). The bill expands the boundaries of the District to include the remaining 60 percent of the territory in Culberson County not in the District and requires an election to confirm the addition of the new territory. The territory to be added to the District's jurisdiction overlies large portions of the Capitan Reef Complex and Rustler aquifers. The District's purpose, powers, and authorities are not changed by the bill, and are the same as general law groundwater conservation districts under Water Code, Chapter 36. Under current law the District directors would be authorized to add additional directors to represent the added area, or would be able to redraw their single-member director districts to include the added area. If passed, the Act would take effect September 1, 2007. The Act would expire if the addition of territory is not approved by the voters.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Cowan".

Michael D. Cowan, Director
Water Supply Division

cc: The Honorable Robert Puente, Chairman, House Natural Resources Committee
The Honorable Pete Gallego, Texas House of Representatives

Enclosure

6

AFFIDAVIT OF PUBLICATION

Before me, a Notary Public, personally appeared Larry D. Simpson, who, after being duly sworn upon oath, deposes and says:

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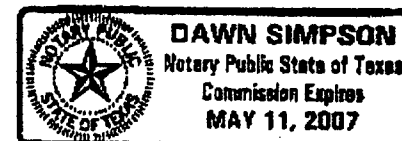
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Signed: Larry D. Simpson
Title: Publisher

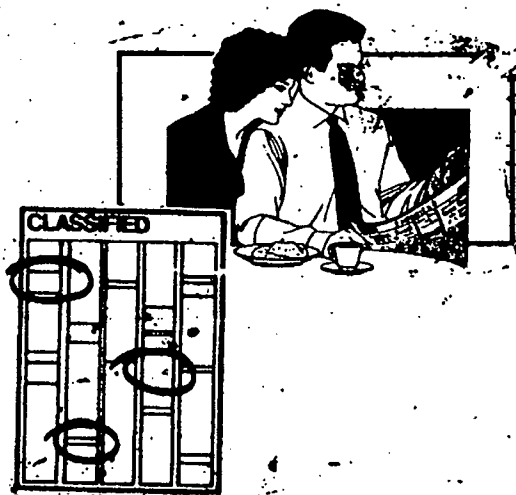
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Notary Public: Dawn Simpson
County of Culberson

Commission Expires: 5-11-07



TAKE A LOOK!



Notices

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5-25-10tp

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Exit 140B off I-10

432-283-0005

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Perches/La Paz FUNERAL HOMES

H.B. No. 1283

A BILL TO BE ENTITLED
AN ACT

By John P. Haller

relating to the territory of the Culberson County Groundwater Conservation District.

FEB 08 2007

Filed with the Chief Clerk

FEB 14 2007

Read first time and referred to Committee on Natural Resources

APR 04 2007

Reported favorably (~~as amended~~)
(~~as substituted~~)

APR 24 2007

Sent to Committee on (~~Culberson~~)
(Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of _____ yeas, _____ nays, _____ present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

Senate and Constitutional 3 Day Rules suspended by a vote of _____ yeas, _____ nays

Read third time, _____, and passed by a (viva voce vote)
(_____ yeas, _____ nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)

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HOUSE OF REPRESENTATIVES HOUSE OF REPRESENTATIVES